

Decision No. 10985-

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA.

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In the matter of the application of)
Western Pacific Railroad Company for)
permission to construct a spur track)
at grade across Sixth Street, Fifth)
Street and Fourth Street, in the City)
of Sacramento, County of Sacramento,)
State of California.)

Application No. 8230.

BY THE COMMISSION:

O R D E R

Western Pacific Railroad Company, a corporation, having on September 6, 1922, filed with the Commission an application for permission to construct a spur track at grade across Sixth Street, Fifth Street and Fourth Street, in the City of Sacramento, County of Sacramento, State of California, as hereinafter indicated, and it appearing to the Commission that this is not a case in which a public hearing is necessary; that the necessary franchise or permit has been granted by the City Council of said City of Sacramento for the construction of said crossings at grade, and it further appearing that it is not reasonable nor practicable to avoid grade crossings with said Sixth Street, Fifth Street and Fourth Street, and that this application should be granted subject to the conditions hereinafter specified,

IT IS HEREBY ORDERED, that permission be and it is hereby granted Western Pacific Railroad Company to construct a spur track at grade across Sixth Street, Fifth Street and Fourth Street, in the City of Sacramento, County of Sacramento, State of California, described as follows:

BEGINNING at a point in the center line of The Western Pacific Railroad Company's track known as the Freight House Lead, said point being on The Western Pacific Railroad Company's property in the south half of block bounded by "Q", "R", 6th and 7th Street, and extending in a northwesterly direction on a curve to the right, intersecting the easterly line of 6th Street at a point approximately 120 feet northerly measured along the easterly line of 6th from the northerly line of "R" Street; thence continuing in a northwesterly direction across 6th Street on a curve to the left and intersecting the west line of said 6th Street at or near the northeast corner of the south half of block bounded by 5th, 6th, Q and R Streets; thence continuing on a curve to the left to a point on the center line of alley between "Q" and "R" Streets approximately 100 feet westerly measured at right angles from the westerly line of 6th Street; thence continuing in a westerly direction along the center line of said alley crossing 5th and 4th Streets and terminating at the easterly line of 3rd Street, approximately 1450 feet from the point of beginning,

all of the above as shown by the map (C.E.72-14) attached to the application; said crossings to be constructed subject to the following conditions, viz:

(1) The entire expense of constructing the crossings, together with the cost of their maintenance thereafter in good and first-class condition for the safe and convenient use of the public shall be borne by applicant.

(2) Said crossings shall be constructed of a width and type of construction to conform to those portions of Sixth, Fifth and Fourth Streets now graded, with grades of approach not exceeding one (1) per cent; shall be protected by suitable crossing signs and shall in every way be made safe for the passage thereover of vehicles and other road traffic.

(3) Applicant shall, within thirty (30) days thereafter, notify this Commission, in writing, of the completion of the installation of said crossings.

(4) The authorization herein granted for the installation

of said crossings will lapse and become void one year from the date of this order unless further time is granted by subsequent order.

(5) The Commission reserves the right to make such further orders relative to the location, construction, operation, maintenance and protection of said crossings as to it may seem right and proper, and to revoke its permission if, in its judgment, the public convenience and necessity demand such action.

Dated at San Francisco, California, this 14th day of September, 1922.

H. H. Brundage
Irving Martin
Benjamin H. Brown
J. B. Friedman

Commissioners.